

**REMARKS**

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1/26/04

Claims 1-6, 9-13, 15-19, 21, and 23-2<sup>6</sup> are pending in this application. By this Amendment, claims 7, 8, 14, 20 and 22 are cancelled, claims 1 and 16 are amended, and claims 23-2<sup>6</sup> are added. No new matter is added.

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**I. Formal Matters**

In the Office Action, the drawings are objected to for containing two different elements labeled "30." By this Amendment, the drawings and specification are amended to change reference to the rubber support from "rubber support 30" to --rubber support 34--.

Approval of the drawing correction and withdrawal of the objection to the drawings are respectfully requested.

Applicant acknowledges the indication that claims 11 and 19 contain allowable subject matter.

**II. Pending Claims Define Patentable Subject Matter**

In the Office Action, claims 1-6, 8-10, 12, 14 and 15 are rejected under 35 U.S.C. §102(b) over U. S. Patent No. 4,669,571 to Kurde and claims 7, 13, 16-18 and 20-22 under 35 U.S.C. §103(a) over Kurde. These rejections are respectfully traversed.

Independent claims 1 and 16 are amended to better define the subject matter being claimed. Both claims now recite, inter alia, at least two suspension members designed to each receive a wheel rotatable about a first axis; at least two electric drive units mountable on the chassis and having an axis of rotation substantially perpendicular to the first axis; and a transmission unit for each electric drive unit that includes a gearbox that aligns the rotational axis of the electric drive unit with the first axis and is extendible and retractable between the electric drive unit and a respective wheel to accommodate pivoting of the suspension member.

Kurde has only a single drive unit and a single transmission. As such, it drives both wheels and requires a substantially centrally located drive unit. Also it uses a conventional engine, whereas the claims require electric drive units. By using at least two electric drive units, one associated with each wheel and suspension member, the drive units can be located near each wheel, preferably near a lateral extremity of the chassis so as to allow for a low vehicle floor. See Figs. 1-4 and paragraphs [0010] and [0015]-[0018]. The transmission also accommodates pivoting of the independent suspension.

Because Kurde fails to teach each and every feature of independent claims 1 and 16, these claims and the claims dependent therefrom are allowable. Withdrawal of the rejections is respectfully requested.

New claims 23-26 are added and are allowable for their dependence on allowable base claims and for the additional features recited therein.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-6, 9-13, 15-19, 21 and 23-25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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